



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 30 मई, 1988/9 ज्येष्ठ, 1910

हिमाचल प्रदेश सरकार

भाषा एवं संस्कृति विभाग

अधिसूचना

शिमला-171002, 23 नवम्बर, 1987

सं० भाषा-ए (3) 10/86.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से भाषा, कला एवं संस्कृति विभाग, हिमाचल प्रदेश में प्रूफ रीडर (वर्ग-III) (अराजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध “अ” के अनुसार भर्ती एवं प्रोन्नति नियम बनाते हैं, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम, हिमाचल प्रदेश भाषा, कला एवं संस्कृति विभाग प्रूफ रीडर (वर्ग-III अराजपत्रित) पद भर्ती और प्रोन्नति नियम, 1987 हैं।

(2) ये हिमाचल प्रदेश राजपत्र में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. पदों की संख्या, वर्गीकरण, वेतनमान अर्हताएं और भर्ती की पद्धति.—प्रूफ रीडर के पदों की संख्या, वर्गीकरण, वेतनमान, अर्हताएं और भर्ती की पद्धति उपाबन्ध “अ” में विनिर्दिष्ट की गई है।

आदेश द्वारा,
हस्ताक्षरित/-
वित्तियुक्त एवं सचिव।

उपाबन्ध “अ”

भाषा एवं संस्कृति विभाग, हिमाचल प्रदेश में प्रूफ रीडर (वर्ग-3 अराजपत्रित) पद के लिए भर्ती एवं प्रोन्नति नियम

1. पद का नाम	प्रूफ रीडर
2. पदों की संख्या	2 (एक हिन्दी और एक उर्दू में)
3. वर्गीकरण	वर्ग 3 (अराजपत्रित)
4. वेतनमान	रु 450-15-525/15-600/20-700
5. चयन पद अथवा अचयन पद	अचयन
6. सीधी भर्ती की जाने वाले व्यक्तियों के लिए आयु	18 से 32 वर्ष :

परन्तु सीधी भर्ती के लिए आयु सीमा तदर्थ या संविदा पर नियुक्त किये गये व्यक्तियों सहित पहले ही सरकार की सेवा में रत अभ्यर्थियों को लागू नहीं होगी :

परन्तु यह और कि यदि तदर्थ आधार पर नियुक्त किया गया अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिकतम हो गया हो तो वह तदर्थ संविदा के आधार पर नियुक्ति के कारण विहित आयु में शिथिलीकरण के लिए पात्र नहीं होगा :

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जनजातियों तथा अन्य वर्गों के व्यक्तियों के लिए अधिकतम आयु सीमा में उतनी ही शिथिलीकरण की जा सकेगी जितनी कि हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञेय है :

परन्तु यह और भी कि पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर निगमों/स्वायत्त निकायों में आमेलन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जायेगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है, किन्तु इस प्रकार की रियायत पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के ऐसे कर्मचारी-वृन्द को नहीं दी जायेगी जो पश्चात्पूर्व ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किये गये थे/किये गये हैं

और उन पत्रिक वेक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किये गये हैं/किये गये थे।

टिप्पणी.—1 सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी जिसमें आवेदन आमंत्रित करने के लिए यथास्थिति पद, विज्ञापित या नियोजनायों को अधिसूचित किए जाते हैं।

टिप्पणी.—2. अन्यथा सुअहित अभ्यर्थियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव आयोग के विवकानुसार शिथिल किया जा सकेगा।

7. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए आपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएँ।

अनिवार्य :

किसी मान्यता प्राप्त विश्वविद्यालय/बोर्ड से हिन्दी/उर्दू चयनित विषय के साथ 60 प्रतिशत अंकों सहित दसवीं की परीक्षा उत्तीर्ण की हो अथवा आदिल फाजिल पास की हो।

वांछनीय अर्हताएँ :

(1) किसी विख्यात सरकारी/निजी मुद्रणालय में प्रूफ रीडिंग का तीन वर्ष का अनुभव।

(2) हिमाचल प्रदेश की रुड़ियों, रीतियों और वोनियों का ज्ञान और प्रदेश में विद्यमान वित्तीय दशाओं में नियुक्ति के लिए उपयुक्तता।

8. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हताएँ प्रोन्नति की दशा में लागू होंगी या नहीं।

आयु: नहीं
शैक्षिक अर्हताएँ: हाँ

9. परिवीक्षा अवधि, यदि कोई हो

दो वर्ष, जिसका एक वर्ष से अधिक ऐसी अतिरिक्त अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी, विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।

10. भर्ती की पद्धति: भर्ती सीधी होगी या प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली रिक्तियों की प्रतिशतता।

शतप्रतिशत प्रोन्नति द्वारा और ऐसा न होने पर सीधी भर्ती द्वारा।

11. प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियाँ, जिनसे प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण किया जायेगा।

ऐसे काफी होल्डरों में से प्रोन्नति द्वारा जो उक्त नियम 7 में विहित अर्हताएँ रखता हो और जिसका ग्रेड में कम से कम पांच वर्ष का नियमित सेवा काल हो; ऐसा न होने पर सीधी भर्ती द्वारा।

टिप्पणी 1.—प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद म 31-12-83 तक की गई तदर्थ सेवा यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथा-विहित सेवाकाल के लिए, निम्नलिखित शर्तों के अधीन रहते हुए, हिसाब में ली जाएगी :—

(क) उन सभी मामलों में जहां कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-12-83 तक की गई तदर्थ सेवा को शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार के लिए पात्र हो जाता है, वहां उससे वरिष्ठ सभी व्यक्ति विचार के लिए पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे। परन्तु प्रोन्नति के लिए विचार किए जाने वाले सभी पदाधिकारियों की कम से कम तीन वर्षों की न्यूनतम अर्हता सेवा या पद क भर्ती और प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होनी चाहिए :

परन्तु यह और कि, जहां कोई व्यक्ति पूर्वागामी परन्तु भी अपेक्षाओं के कारण प्रोन्नति के विचार के लिए अपात्र हो जाता है वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा।

(ख) इसी प्रकार, स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-12-83 तक की गई तदर्थ सेवा यदि कोई हो, सेवाकाल के लिए हिसाब में ली जाएगी :

परन्तु स्थायीकरण के परिणाम स्वरूप तदर्थ सेवा को हिसाब में लेकर पारस्परिक ज्येष्ठता, अपरिवर्तित रहगी।

(ग) 31-12-1983 के पश्चात की गई तदर्थ सेवा प्रोन्नति/स्थायीकरण के प्रयोजन के लिए हिसाब में नहीं ली जाएगी।

टिप्पणी 2.—जब कभी नियम 2 के अनुसार पदों में बढ़ोतरी होती है तो नियम 10 और 11 के उपबन्ध, सरकार द्वारा लोक सेवा आयोग के परामर्श से पुनरीक्षित किए जाएंगे।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना।

जैसी कि सरकार द्वारा समय-समय पर गठित की जाए।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा।

जैसा कि विधि द्वारा अपेक्षित है।

14. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षा ।

किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी निम्नलिखित अवश्य होना चाहिए :—

- (क) भारत का नागरिक, या
- (ख) नेपाल की प्रजा, या
- (ग) भूटान की प्रजा, या
- (घ) तिब्बती शरणार्थी, जो 1 जनवरी, 1962 से पूर्व भारत में स्थायी निवास के आशय से आया हो, या
- (ङ) भारतीय मूल का कोई व्यक्ति जिसने पाकिस्तान, बर्मा, श्री लंका, पूर्वी अफ्रीका के देशों कीनिया, यूगांडा, यूनाइटेड रिपब्लिक आफ तंजानिया (पहले तंजानिका और जंजीबार) जांबिया, मालवा, जेयर और इथोपिया से भारत में स्थायी निवास के आशय से प्रवास किया है :

परन्तु प्रवर्ग (ख), (ग), (घ) और (ङ) के अभ्यर्थी ऐसे व्यक्ति होंगे जिनके पक्ष में भारत सरकार द्वारा पात्रता प्रमाण-पत्र जारी किया हो ।

ऐसे अभ्यर्थी को जिनके मामले में पात्रता प्रमाण-पत्र आवश्यक हो, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा संचालित परीक्षा/साक्षात्कार में प्रवेश किया जा सकेगा किन्तु उसे नियुक्ति का प्रस्ताव भारत सरकार द्वारा उसे अपेक्षित पात्रता प्रमाण-पत्र जारी किए जाने के पश्चात् ही दिया जाएगा ।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन

सीधी भर्ती के मामले में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर और यदि यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग अन्य भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे, लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा जिसका स्तर/पाठ्यक्रम यथास्थिति आयोग/अन्य भर्ती प्राधिकरण द्वारा अवधारित किया जायेगा ।

16. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों, पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवा में आरक्षण की बाबत जारी किये गए आदेशों के अधीन होगी ।

17. शिथिल करने की शक्ति

जहां राज्य सरकार की यह राय हो, कि ऐसा करना आवश्यक या समीचीन है, तो वह कारणों को अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से आदेश द्वारा इन नियमों के किन्हीं उपबन्धों के किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत शिथिल कर सकेगी ।

[Authoritative English text of notification No. Bhasha(A)3-9/86, dated 23-11-1987 as required under clause (3) of Article 348 of the Constitution of India].

LANGUAGES AND CULTURE DEPARTMENT NOTIFICATION

Shimla-171 002, the 23rd November, 1987

No. Bhasha-A(3)-9/86.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules, for the post of Proof Reader (Class-III Non-Gazetted) in the Department of Languages, Arts and Culture, Himachal Pradesh as per Annexure 'A' attached to this notification, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Languages, Arts and Culture Department Proof Reader (Class-III Non-Gazetted) Recruitment and Promotion Rules, 1987.

(2) These shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. Rules.—The number of posts, classification, pay scale, qualification and method of recruitment etc., for the post of Proof Reader shall be as specified in Annexure 'A'.

By order,
M. K. KAW,
Financial Commissioner-cum-Secretary.

ANNEXURE 'A'

RECRUITMENT AND PROMOTION RULES FOR THE POST OF PROOF READER IN THE DEPARTMENT OF LANGUAGES, ARTS AND CULTURE IN HIMACHAL PRADESH GOVERNMENT

1. Name of the post	..	Proof Reader
2. Number of posts	..	Two (One in Hindi and One in Urdu)
3. Classification	..	Class-III (Non-Gazetted)
4. Scale of pay	..	Rs.450-15-525/15-600/20-700.
5. Whether selection post or non-selection post	..	Non-Selection
6. Age of direct recruitment	..	Between 18 and 32 years;

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Schedule Castes/Schedule Tribes/other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government:

Provided further that the employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporation/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in service of such corporations/autonomous bodies after initial constitution of the public sector corporations/autonomous bodies.

Note 1.—The crucial date for determining the age would be the first day of the year in which the posts are advertised or notified to Employment Exchanges, as the case may be.

Note 2.—Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case of the Candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruits.

Essential:

1. Should have passed Matriculation or its equivalent from a recognised University/Board with Hindi/Urdu as an elective subject with 60% marks; and
2. Must have passed Prabhakar or Adil Fazil from a recognised University/Board.

Desirable qualifications:

1. Three years experience of Proof Reading in Government/Private reputed printing press.
2. Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualification prescribed for direct recruits will apply in the case of the promotees.

Age: No

Qualifications: Yes

9. Period of probation, if any
- Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reason to be recorded in writing.
10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.
- 100% by promotion, failing which by direct recruitment.
11. In case of recruitment by promotion, deputation/transfer grades from which promotion/deputation/transfer is to be made.
- By promotion from amongst copy holders who possess essential qualifications as prescribed in Col. 7/Supra with atleast 5 years regular service in the grade, failing which by direct recruitment.

Note.—In all cases of promotion *ad hoc* service rendered in the feeder post upto 31-12-1983, if any prior to the regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition:—

- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post, in view of the provisions referred to above, all persons senior to him in the respective category, post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided further that all incumbents to be considered for promotion shall possess the minimum qualifying service of atleast three years or that prescribed in the recruitment and promotion rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

- (b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983 if any, prior to the

regular appointment against such post shall be taken into account towards the length of service:

Provided that the *inter-se-seniority* as a result of confirmation after taking into account *ad hoc* service shall remain unchanged.

- (c) *ad hoc* service rendered after 31-12-1983 shall not be taken into account for confirmation/promotion purposes.

Note 2.—Provisions of Col. 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under rule 2 are increased.

If a Departmental Promotion Committee exists, what is its composition.

As may be constituted by the Government from time to time.

Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.

As required under the Law

Essential requirements for a direct recruit

A candidate for appointment to any service or post must be:—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only

after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of *viva voce* test, and if the Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so consider necessary or expedient by a written test or a practical test the standard/syllabus etc., of which will be determined by the Commission/other recruiting authority as the case may be.

16. Reservation

The appointment to this service shall be subject to orders regarding reservation in services for Schedule Castes/Schedule Tribes/Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Power to relax

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with respect to any class or category of persons or posts.

[Authoritative English text of Government notification No. FDS.A (3)-4/82-III, dated the 20th April, 1987 is hereby published in the Rajpatra, Himachal Pradesh as required under Article 348 (3) of the Constitution of India.]

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Shimla-2, the 25th April, 1988

No. FDS.A (3)-4/82-III—In exercise of the powers conferred by sub-section (2) of section 30 of the Consumer Protection Act, 1986 (68 of 1986), the Governor of Himachal Pradesh is pleased to make the following Rules, namely:—

Part-I

Preliminary

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Consumer Protection Rules, 1988.

(2) These shall come into force *w.e.f.* 1-3-1988.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Consumer Protection Act, 1986 (68 of 1986);

- (b) "agent" means a person duly authorised by a party to present any complaint, appeal or reply on its behalf before the District Forum or the State Commission, as the case may be;
- (c) "appellant" means a party which makes an appeal against the order of the District Forum
- (d) "memorandum" means any memorandum of appeal filed by the appellant;
- (e) "opposite party" means a person who answers complaints or claims;
- (f) "President" means the President of the District Forum or the State Commission, as the case may be;
- (g) "respondent" means the person who answers any memorandum of appeal; and
- (h) "State Government" means the Government of Himachal Pradesh.

(2) The words and expressions unused in these Rules and not defined therein but defined in the Act shall have the meanings respectively assigned to them in the Act.

Part-II District Forum

3. *Place of sitting of the District Forum.*—The office of the District Forum shall be located at the headquarters of the District and where the State Government decides to establish a single District Forum having jurisdiction over more Districts than one shall notify the place and jurisdiction of the District Forum so established.

4. *Working days and office hours of the District Forum.*—The working days and office hours of the District Forum shall be the same as these of the offices of the State Government.

5. *Seal and emblem.*—The official seal and emblem of the District Forum shall be such as the State Government may specify.

6. *Sitting of the District Forum.*—The sitting of the District Forum, as and when necessary, shall be convened by the President and it may, in the interest of speedy disposal of the complaint, hold its sittings at any place within its jurisdiction.

7. *Staff of the District Forum.*—The State Government shall appoint such staff as may be necessary to assist the District Forum in its day-to-day work and to perform such functions as are assigned to it by the President. The salary payable to such staff shall be defrayed out of the Consolidated Fund of the State Government.

The terms and conditions of the staff so appointed for this purpose shall be such as may be laid down by the State Government from time to time.

8. *Salaries, honorarium and other allowances of the President and the members of the District Forum.*—(i) Where the President of the District Forum is sitting Judge of the District Court, he shall enjoy all benefits which he should have enjoyed as sitting Judge of the District Court. Where the President is not a sitting Judge of the District Court, he shall be entitled to the salary payable to a District Judge but the pay plus pension of a retired person shall not exceed the last pay drawn by him, if appointed on whole time basis or an honorarium of Rs. 150/- per day if appointed on part time basis. Other members, if appointed on whole time basis, shall receive a consolidated honorarium of Rs. 1250/- per month or if appointed on part-time basis a consolidated honorarium of Rs. 100/- per day for each sitting.

(ii) The President and the members of the District Forum shall be entitled to travelling and daily allowance on official tours at the same rates as are admissible to the highest grade-I officer of the State Government.

(iii) The honorarium or the salary, as the case may be, and other allowances shall be defrayed out of the consolidated Fund of the State Government.

9. *Terms and conditions of services of the President and members of the District Forum.—*

- (i) Before appointment, the President and members of the District Forum shall have to give an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as such president or a member, as the case may be.
- (ii) The terms and conditions of the service of the President and the members shall not be varied to their disadvantage during their tenure of office.
- (iii) A casual vacancy caused by resignation or removal of the President or any other member of the District Forum shall be filled by fresh appointment.
- (iv) No act or proceedings of the District Forum shall be invalid by reason only of the existence of any vacancy among its President or members or any defect in the constitution thereof.
- (v) In case of difference of opinion among the members of the District Forum, the majority opinion shall prevail and the opinion or orders of the District Forum shall be expressed in terms of the views or the majority.
- (vi) The President of any member ceasing to hold office, as such, shall not hold any appointment in or be connected with the management or administration of an organisation which has been the subject of any proceeding under the Act during his tenure for a period of 5 years from the date on which he ceases to hold such office.

10. *Removal of President or members of the District Forum from Office in certain circumstances.*—The State Government may remove any person from the office of the President or the member, as the case may be, who:—

- (a) has been adjudged as an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as such President or member; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as President or member; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest;

Provided that the President or any member shall not be removed from his office on the grounds specified in clauses (d) and (e) of this rule except on an enquiry held by the State Government in accordance with procedure as it may specify in this behalf and find the President or the member, as the case may be, guilty on such grounds.

11. *Procedure on receipt of complaint:*—(1) Where the opposite party admits the allegations made by the complainant, the District Forum shall decide the complaint on merits of the case and the documents presented to it.

(2) If during the proceedings conducted under section 13, the District Forum fixes a date for hearing of the parties it shall be obligatory on the complainant and the opposite party or their authorised agents to appear before the District Forum on such date of hearing or any other date to which hearing is adjourned. Where the complainant or his authorised agent fails to appear before the District Forum on such day, the District Forum may, in its discretion, either dismiss the complaint for default or decide it on merits. Where the opposite party or its authorised agent fails to appear on the day of hearing, the District Forum may decide the complaint *ex parte*.

(3) While proceeding under sub-rule (2) the District Forum may, on such terms as it may think fit, at any stage of the proceedings, adjourn the hearing of the complaint but the complaint shall be decided as far as possible within a period of three months from the date of notice received by the opposite party where complaint does not require analysis or testing and within five months if it requires analysis or testing of the goods.

(4) Orders of the District Forum shall be duly signed, sealed and dated by the members of the District Forum constituting the Bench and shall be communicated to the parties free of cost.

12. *Procedure to be adopted for analysis and testing of goods.*—(1) Under clause (c) of sub-section (1) of section 13 of the Act, if considered necessary, the District Forum may direct the complainant to provide more than one sample of the goods in clean containers with stopper properly fixed on them.

(2) On receiving the sample of such goods, the District Forum shall seal it on fix labels on the containers carrying following information:—

- (i) name and address of the appropriate laboratory to whom sample will be sent for analysis and test;
- (ii) name and address of the District Forum;
- (iii) case number; and
- (iv) Seal of the District Forum.

(3) The sample will be sent to the appropriate laboratory by the District Forum for sending report within 45 days or within such extended time as may be granted by the District Forum after specifying the nature of the defect alleged and date of submission of the report.

Part-III

State Commission

13. *Salary, honorarium and other allowances of the President and members of the State Commission.*—(1) Where the President of the State Commission is a sitting Judge of the High Court, he shall enjoy all the benefits which he should have enjoyed as sitting Judge of the High Court. Where the President is not a sitting Judge of the High Court, he shall receive a consolidated honorarium of Rs. 7000/- per month, if appointed on whole time basis or last pay drawn by him minus pension granted to him or an honorarium of Rs. 300/- per day if appointed on part time basis. Other members, if appointed on whole time basis shall, receive a consolidated honorarium of Rs. 1500/- per month or if appointed on part time basis a consolidated honorarium of Rs. 250/- per day for the sitting:

Provided that a member shall be eligible to any pension granted to him by the Government or any authority but honorarium plus pension shall not exceed the last pay drawn.

(2) The President and the members shall also be entitled to semi-furnished accommodation.

(3) The President and the members shall be entitled to travelling and daily allowance on official tours at the same rates as are admissible to the highest Grade-I Officer of the State Government.

(4) The honorarium or the salary, as the case may be, and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

14. *Terms and conditions of service of the President and Members of the State Commission.*—(1) Before appointment, the President and a member of the State Commission shall have to give an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as such president or member, as the case may be.

(2) The President and the members shall hold the office for a term of two years and shall not eligible for re-appointment:

Provided that no President or a member shall hold office as such for a term exceeding 5 years or after he has attained the age of 65 years, whichever is earlier.

(3) Notwithstanding anything contained in sub-rule (2), the President or a member may,—

- (a) by writing under his hand and addressed to the State Government resign his office at any time; and
- (b) be removed from his office in accordance with the provision of rule 15 of these rules.

(4) The terms and conditions of service of the President and the members shall not be varied to their disadvantage during their tenure of office.

(5) A casual vacancy caused by resignation or removal of the President or any other member of the State Commission under sub-rule (3) or otherwise shall be filled by fresh appointment.

(6) No act or proceedings of the State Commission shall be invalid by reason only of the existence of any vacancy among its President or members or any defect in the constitution thereof.

(7) In case of difference of opinion among the members of the State Commission, the opinion of the majority shall prevail and the opinion or orders of the Commission shall be expressed in terms of the views of the majority.

(8) The President or any member ceasing to hold office as such shall not hold any appointment in or be connected with the management or administration of an organisation which have been the subject of any proceeding under the Act during his tenure for a period of 5 years from the date on which he ceases to hold such office.

15. Removal of President or members from office in certain circumstances.—(1) The State Government may remove from office, the President or any member who,—

- (a) has been adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as the President or member; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the President or a member; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) Notwithstanding anything contained in sub-rule (1) the President or any member shall not be removed from his office on the grounds specified in clauses (d) and (e) of that sub-rule except on an enquiry held by the State Government in accordance with such procedure as it may specify in this behalf and find the President or any member guilty on such grounds.

16. Place of sitting of the State Commission.—The office of the State Commission shall be located in the capital of the State.

17. Working days and office hours of the State Commission.—The working days and office hours of the State Commission shall be the same as that of the offices of the State Government.

18. Seal and emblem of the State Commission.—The official seal and emblem of the State Commission shall be such as the State Government may specify.

19. Sitting of the State Commission.—The sitting of the State Commission, as and when necessary shall, be convened by the President and it may, in the interest of speedy disposal of the complaint or appeal, hold its sittings at any place within its jurisdiction.

20. *Staff of the State Commission.*—The State Government shall appoint such staff as may be necessary to assist the State Commission in its day-to-day work and to perform such functions as are assigned to it by the President. The salary payable to such staff shall be defrayed out of the Consolidated Fund of the State Government.

21. *Procedure to be followed by the State Commission.*—(1) A complaint containing the following particulars shall be presented by the complainant in person or by his agent to the State Commission or be sent by registered post addressed to the State Commission:—

- (a) the name, description and the address of the complainant;
- (b) the name, description and address of the opposite party or parties, as the case may be, so far as they can be ascertained;
- (c) the facts relating to complaint and when and where it arose;
- (d) documents in support of the allegations contained in the complaint;
- (e) the relief which the complainant claims.

(2) The State Commission shall, in disposal of any complaint before it, as far as possible, follow the procedure laid down in sub-sections (1) and (2) of section 13 of the Act in relation to the complaint received by the District Forum.

(3) On the date of hearing or any other date to which the hearing could be adjourned, it shall be obligatory on the parties or their agents to appear before the State Commission. Where the complainant or his agent fails to appear before the State Commission on such days, the State Commission may in its discretion either dismiss the complaint for default or decide it on merits. Where the opposite party or its agent fails to appear on the date of hearing, the State Commission may decide the complaint *ex parte*.

(4) The State Commission may, on such terms as it deems fit and at any stage of the proceedings, adjourn the hearing of the complaint but the complaint shall be decided as, far as possible within a period of three months from the date of notice received by the opposite party where the complaint does not require analysis or testing of commodities and within five months if it requires such analysis or testing.

(5) If the proceedings conducted under sub-rule (3), the State Commission is satisfied with the allegations contained in the complaint, it shall issue orders to the opposite party or parties, as the case may be, directing him or them to take one or more of the things mentioned in sub-section (1) of section 14 of the Act.

22. *Procedure of hearing the appeal.*—(1) Memorandum shall be presented by the appellant or his agent to the State Commission in person or be sent by registered post addressed to the Commission.

(2) Every memorandum filed under sub-rule (1) shall be in legible hand, writing, preferably typed, and shall set forth concisely under distinct heads, the grounds of appeal without any argument or narrative and such grounds shall be numbered consecutively.

(3) Each memorandum shall be accompanied by a certified copy of the order of the District Forum appealed against and such of the documents as may be required to support grounds of objection mentioned in the memorandum.

(4) When the appeal is presented after the expiry of the period of limitation as specified in the Act, the memorandum shall be accompanied by an application supported by an affidavit setting forth the facts on which the appellant relies to satisfy the State Commission that he has sufficient cause for not preferring the appeal within the period of limitation,

(5) The appellant shall submit four copies of the memorandum to the Commission for official purpose.

(6) On the date of hearing or on any other day to which the hearing may be adjourned, it shall be obligatory for the parties or their agents to appear before the State Commission. If the appellant or his agent fails to appear on such date, the State Commission may in its discretion, either dismiss the appeal or decide it *ex parte* on merits. If the respondent or his agent fails to appear on such date, the State Commission shall proceed *ex parte* and shall decide the appeal on merits of the case.

(7) The appellant shall not, except by leave of the State Commission, urge or be heard in support of any ground or objection not set forth in the memorandum but the State Commission, in deciding the appeal, may not confine to the grounds of objection set forth in the memorandum:

Provided that the State Commission shall not rest its decision on any grounds other than those specified in the memorandum unless the party who may be affected thereby, has been given an opportunity of being heard by the State Commission.

(8) The State Commission, on such terms as it may think fit, and at any stage, adjourn the hearing of the appeal, but not more than one adjournment shall ordinarily be given and the appeal should be decided as far as possible, within 90 days from the first date of hearing.

(9) The order of the State Commission, on appeal, shall be signed and dated by the members of the State Commission and communicated to the parties free of charge.

By order,
S. S. SIDHU,
Commissioner-cum-Secretary.

तकनीकी शिक्षा, व्यावसायिक एवं औद्योगिक प्रशिक्षण विभाग

अधिसूचना

शिमला-171002, 16 अप्रैल, 1988

संख्या एस० टी० बी० (टी० ई०) एच (1) 6/87-II.—हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सार्वजनिक व्यय पर सार्वजनिक प्रयोजन नामतः गांव पन्याला, मौजा मती-टीहरा, गांव भरनांग, मौजा मती भारियां और गांव धार खारी, मौजा मती भारियां, तहसील व जिला हमीरपुर में श्रेणीय इन्जीनियरिंग कालेज की स्थापना के लिए भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्नलिखित विनिर्देश में विनिर्दिष्ट किया गया है, उपर्युक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे संबंधित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अधीन जारी की जाती है।

अतः हिमाचल प्रदेश के राज्यपाल, पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इस इलाके की किसी भूमि में प्रवेश करने, सर्वेक्षण करने और उक्त धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए प्राधिकृत करते हैं।

अत्याधिक आवश्यकता को दृष्टि में रखते हुए हिमाचल प्रदेश के राज्यपाल उक्त अधिनियम की धारा 17 की

उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निदेश देते हैं कि उक्त अधिनियम की धारा 5-ए के उपबन्ध इस मामले में लागू नहीं होंगे।

विनिर्देश

ज़िला	तहसील	टीका/गांव	खसरा नम्बर	भूमि	
1	2	3	4	रू०	म०
				5	6
हमीरपुर	हमीरपुर	पनयाला मौजा मती-टीहरा।	681/658	8	12
			680/658	10	05
			689/682	10	01
		किता..	3	28	18
हमीरपुर	हमीरपुर	भरनोग मौजा मती-मारियां	365	3	07
			363	3	06
			364	3	06
			374	8	09
			375	3	05
			393	1	18
			395	2	16
			396	1	11
		किता..	8	27	18
		धार खारी मौजा मती-मारियां	68	9	14
			70	2	00
			50	9	19
			135/52	10	08
			53	8	05
			54	1	08
			56	0	12
			57	3	15
			138/58	0	16
			59	4	01
			60	1	17
			61	1	13
			62	1	05
			63	7	18
			64/2	11	12
			65/1	0	05
			65/3	5	06
			65/5	30	05
			67/1	0	14

1	2	3	4	5	6
			67/3	1	15
			128/51	1	06
			131/52	3	04
			129/51	1	06
			132/52	3	05
			134/52	2	03
			136/58	0	18
			130/51	0	13
			133/52	2	03
			137/58	0	04
			49/1-3	2	03
			55	0	16
			28/1	0	04
			28/4/2	6	16
			1	2	02
			2/1/2	2	03
			139/7/2	0	14
		कित्ता ..	36	143	08

आदेश द्वारा,
हस्ताक्षरित/-
वित्तियुक्त एवं सचिव।

पर्यटन विभाग

अधिसूचना

शिमला-2, 16 मई, 1988

संख्या 2-7/83-टी0 एस0 एम0 (सचि).—हिमाचल प्रदेश जनरल कलाजीज अधिनियम, 1968 (1968 का 18वां अधिनियम) की धारा 20 के अध्वयन सहित, भारत के संविधान के अनुच्छेद 309 के परस्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश लोक सेवा आयोग के पूर्व परामर्श से राजपत्र, हिमाचल प्रदेश, दिनांक 11-2-1984 के अंक में प्रकाशित इस सरकार की अधिसूचना समसंख्यांक तारीख 4-2-1984 में सहर्ष तत्काल निम्नलिखित संशोधन करते हैं :—

AMENDMENTS

In this Government notification No. 2-7/83-TSM(Sectt.), dated 4-2-1984 and its Annexure—I, the words "Civil Aviation" wherever occur, the words "Tourism and Civil Aviation" shall be substituted.

आदेश द्वारा,
ए0 एन0 विद्यार्थी,
वित्तियुक्त एवम् सचिव।

राजस्व विभाग

अशोधन

शिमला-171002, 11 मई, 1988

सख्या राजस्व-1 (ब) 4-2/78-डी-सोलन-पार्ट-II.—इस विभाग के कार्यालय आदेश समसंख्यक, दिनांक 7 अगस्त, 1985 में आंशिक संशोधन करने हेतु, प्रशासनिक एवं जनहित में, हिमाचल प्रदेश लेण्ड रिकार्ड मैनुयल के पैरा 3.11 और पंजाब लेण्ड एडमिनिस्ट्रेशन मैनुयल के पैरा 278 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए वित्तायुक्त (राजस्व) हिमाचल प्रदेश, जिला सोलन की उप-तहसील रामशहर के ग्राम रजवाह (ह 0 नं 0, 80) को पटवार वृत्त भियुखरी से निकाल कर पटवार वृत्त सौर में शामिल करने का, अनुलग्नक "क" के अनुसार पुनर्गठन का आदेश देते हैं।

"क"

सूची ग्राम-वार पटवार वृत्त भियुखरी तथा सौर वृत्त, उप-तहसील रामशहर, जिला सोलन, हिमाचल प्रदेश

नाम उप-तहसील : रामशहर

पटवार वृत्त नं 0 11

कानूनगो वृत्त : रामशहर

पटवार वृत्त	गांव	हदवस्त नम्बर	रकबा	रकबा मजराआ	तादाद खसरा	खतोनी नं 0	माल
1	2	3	4	5	6	7	8
सौर	डोहरा	79	8	2	17	3	8
	चीला	81	34	7	267	39	34
	बनाहन	82	192	1	99	45	49
	लोहारी	83	28	9	810	143	58
	सौर उपरला	84	74	20	432	93	143
	सौर निचला	85	10	7	314	59	38
	बोह	86	130	40	7048	175	132
	डकेड	94	50	11	515	75	68
	गुराड़	88	6	3	54	15	21
	चोरी	89	51	17	915	143	103
	घड्याच	90	78	22	460	79	93
	भडेच	91	60	14	785	41	75
	दीदू	92	36	10	380	30	42
	जगल दीदू	93	38	—	25	13	5
	कनेटा	87	58	16	535	70	75
	रजवाह	80	144	26	1374	73	207
कुल जोड़ गांव 16			998	205	8030	1096	1145

पटवार वृत्त नं० 12

1	2	3	4	5	6	7	8
भियुखरी	भियुखरी	68	283	44	2450	196	310
	भलेचडी	60	63	16	685	91	83
	कुसरी	70	112	13	530	60	101
	जंगल सिंहल	71	51	—	001	81	—
	जंगल लून	72	36	—	002	32	—
	लून	73	76	12	532	41	79
	मुझयाडी	74	70	14	366	09	58
	चबाहन	75	38	04	112	20	17
	चनयारी	76	22	05	254	18	32
	कयागघाट	77	38	12	567	72	63
कुल जोड़ गांव 10		—	789	120	5507	550	743

अत्तर सिंह,
वित्तायुक्त ।